

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

---

|  |   |                                 |
|--|---|---------------------------------|
| <b>STEPHEN MIDDLEBROOKS</b>            | : |                                 |
|  | : | <b>CIVIL ACTION NO. 17-0412</b> |
|  | : |                                 |
| <b>Plaintiff,</b>                      | : |                                 |
| v.                                     | : |                                 |
|  | : |                                 |
| <b>TEVA PHARMACEUTICALS</b>            | : |                                 |
| <b>USA, INC.; TEVA PHARMACEUTICAL:</b> | : |                                 |
| <b>INDUSTRIES LIMITED</b>              | : |                                 |
|  | : |                                 |
| <b>Defendants.</b>                     | : |                                 |
|  | : |                                 |

---

**PLAINTIFF'S PROPOSED VERDICT SHEET**

We, the jury in the above-entitled action, find the following verdict on the questions submitted to us:

**Question 1**

Has Mr. Middlebrooks proven that it is more likely than not his age was a determinative factor in Teva's decision to terminate him?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Proceed to next question.*

**Question 2**

Has Mr. Middlebrooks proven that it is more likely than not his being an American was a determinative factor in Teva's decision to terminate him?

Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered "Yes," skip to Question No. 5. If "No," proceed to Question 3.*

**Question 3**

Has Mr. Middlebrooks proven that it is more likely than not his being an American was a motivating factor in Teva's decision to terminate him?

Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered "Yes," go to Question No. 4. If "No," proceed to Question 5.*

**Question 4**

Has Teva proven that it is more likely than not that Teva would have made the same decision to terminate Mr. Middlebrooks even if he was Israeli?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Proceed to next question.*

**Question 5**

Has Mr. Middlebrooks proven that it is more likely than not his complaining of age discrimination was a determinative factor in Teva's decision to terminate him?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Proceed to next question.*

**Question 6**

Has Mr. Middlebrooks proven that it is more likely than not his complaining of anti-American discrimination was a determinative factor in Teva's decision to terminate him?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Proceed to next question.*

**Question 7**

Has Mr. Middlebrooks proven that it is more likely than not he was subjected to severe or pervasive harassment by Teva because of his age?

Yes \_\_\_\_\_

No \_\_\_\_\_

*Proceed to next question.*

**Question 8**

Has Mr. Middlebrooks proven that it is more likely than not he was subjected to severe or pervasive harassment by Teva because of his being an American?

Yes \_\_\_\_\_

No \_\_\_\_\_

*Proceed to next question.*

**Question 9**

Has Mr. Middlebrooks proven that it is more likely than not he was subjected to severe or pervasive harassment by Teva because of his complaining of age discrimination?

Yes \_\_\_\_\_

No \_\_\_\_\_

*Proceed to next question.*

**Question 10**

Has Mr. Middlebrooks proven that it is more likely than not he was subjected to severe or pervasive harassment by Teva because of his complaining of anti-American discrimination?

Yes \_\_\_\_\_

No \_\_\_\_\_

*If you answered “Yes” to ANY of the following Questions: No. 1, 2, 5, 6, 7, 8, 9, OR 10, proceed to Question No. 11.*

*If you answered “No” to ALL of the following Questions: No. 1, 2, 5, 6, 7, 8, 9, AND 10, and you also answered “No” to Question No. 4, proceed to Question No. 11.*

*If you answered “No” to ALL of the following Questions: No. 1, 2, 5, 6, 7, 8, 9, AND 10, and you also answered “No” to Question No. 4, you have completed your deliberations and have found in favor of Teva. You must sign and date this form and return it to the Court Officer.*

**Question 11**

What amount do you award for economic loss damages?

\$ \_\_\_\_\_

*If you answered “Yes” to ANY of the following Questions: No. 2, 6, 8, OR 10, proceed to Question No. 12.*

*If you answered “No” to ALL of the following Questions: No. 2, 6, 8, AND 10, but you answered “No” to Question No. 4, proceed to Question No. 12.*

**Question 12**

What amount do you award for emotional distress damages?

\$ \_\_\_\_\_

*If you answered “Yes” to ANY of the following Questions: No. 1, 5, 7, OR 9, proceed to Question No. 13.*

**Question 13**

Has Mr. Middlebrooks proven that it is more likely than not Teva showed reckless disregard for whether Ms. Middlebrooks’ termination was against the law regarding age discrimination?

Yes \_\_\_\_\_

No \_\_\_\_\_

*If you answered “Yes” to ANY of the Questions No. 2, 6, 8, OR 10, proceed to Question No. 14.*

*If you answered “No” to ALL of the Questions No. 2, 6, 8, AND 10, but you answered “No” to Question No. 4, proceed to Question No. 14.*

**Question 14**

Has Mr. Middlebrooks proven that it is more likely than not Teva acted in reckless indifference to Mr. Middlebrooks’ right to be free of discrimination against Americans?

Yes \_\_\_\_\_

No \_\_\_\_\_

Foreperson's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Respectfully submitted,

**CONSOLE MATTIACCI LAW, LLC**

Date: October 10, 2018

BY: /s/Laura C. Mattiacci  
Laura C. Mattiacci, Esquire  
Caren N. Gurmankin, Esquire  
1525 Locust Street, 9<sup>th</sup> Floor  
Philadelphia, PA 19102

Attorney for Plaintiff,  
Stephen Middlebrooks